



TRANSBAY JOINT POWERS AUTHORITY

LIVE AUCTION FOR TRANSBAY PARCEL F

No. 15-03

QUESTIONS & ANSWERS: Set No. 6

TJPA is releasing the following questions and answers related to the above-referenced opportunity. Numbering picks up where the previously released set ended. Additional questions and answers will be posted on a continuous basis as available.

31. *Q: Can a building foundation wall, core wall or pier be located directly adjacent to the Transit Center shoring wall or is there a required setback distance?*

A: The Train Box Easement Agreement, which is an exhibit to the Purchase and Sale Agreement and will be posted for Bidder review, describes the criteria applicable to the Parcel F developer's construction in the subsurface area near TJPA's train box. The developer will be permitted to construct its subsurface facilities adjacent to the shoring wall of TJPA's train box, provided that the developer complies with the protections for the train box required by the Train Box Easement Agreement.

32. *Q: Have there been studies done of any potential noise and vibration transmitted by the train box or vent shafts which would impact the development?*

A: TJPA prepared environmental review of the Transbay Project under NEPA and CEQA. No other studies relative to noise and vibration have been performed.

33. *Q: Can an AutoCAD file of the Diagram 1 be posted to the website so that accurate site boundary, vent shafts, Transit Center shoring wall and easement locations can be obtained?*

A: As noted previously in response to Question 17, Diagram 1 is illustrative of the general area of the Parcel F property and does not represent a full or precise description of the area or any encumbrances. Diagram 1 is superseded by diagrams, plat maps, and legal descriptions of the Transbay Parcel F Property, Train Box Easement, and Bus Ramp Easement in the Train Box and Bus Ramp Easement Agreements based on a survey completed in June 2015. These agreements will be posted on TJPA's website. AutoCAD drawings are being made available for bidder review on the TJPA website

(www.TransbayCenter.org > TJPA > Doing Business with the TJPA > Current Contract Opportunities > Parcel F Auction) in the section labeled “Structures Documents > AutoCAD Drawings”.

34. *Q: Can the AutoCAD files for the ALTA survey dated September 2014 for Block 3721 Lot 15A, 16 and 31 be released?*

A: See response to Question #33 above.

35. *Q: There is a triangular-shaped portion of the site where the Howard Street property line and bus ramp easement intersect (see attached .pdf). Can the area underneath this portion of the site be developed with underground parking or does the 15-foot bus ramp easement extend at grade, above grade, and below grade so that nothing can be built in this easement area below grade?*

A: Parking may be developed under the Bus Ramp Easement Area up to the Transbay Parcel F Property line. That portion of the triangle shown in the pdf attached to the question that is located under the Bus Ramp is not included in the Transbay Parcel F Property and therefore cannot be developed with underground parking. Any underground parking structure along the west boundary of the Transbay Parcel F Property will be prohibited from removing lateral support for the retaining wall for the bicycle ramp from Howard Street to the lower concourse of the train box.

36. *Q: What is the degree of flexibility with regard to uses on the site?*

A: The site is zoned C-3-O(SD) and is located in the Transit Center C-3-O(SD) Commercial Special Use District (Planning Code Section 248). The Special Use District controls require that new development on lots larger than 15,000 square feet be primarily commercial, such that they include not less than 2 square feet of commercial uses for every 1 square foot of residential uses (if residential uses are proposed). Note that hotels are included in the definition of “commercial” use for the purpose of this requirement. Because Parcel F is larger than 15,000 square feet, development on this site will be subject to these requirements. There are two scenarios in which the Planning Commission can grant an exception from this requirement without amending the Planning Code, as outlined in Section 248, where: (1) the project contains multiple buildings, or (2) the buildable area is less than 15,000 square feet because existing buildings will be retained. Please see response to Question #37 for information regarding residential uses.

37. *Q: Can a use be expanded or even eliminated?*

A: Changing the use requirements outlined in the response to Question #36, for example, increasing the proportion of residential use allowed on the site, would require an amendment to the Planning Code and possibly the General Plan. The Planning Commission and Board of Supervisors of the City would be required to approve any amendment to the Planning Code and the Planning Commission would be required to

approve an amendment to the General Plan. Any application to change the uses permitted on the site may require additional environmental review. Project sponsors may submit a Legislative Amendment application in conjunction with applications for project entitlement. Please note that projects seeking to build residential uses would need to comply with the housing requirements of the Transbay Redevelopment Plan.

38. *Q: How will the uses on the site be finally and formally approved, and by whom?*

A: Development on the site is subject to approval by the Planning Commission, after appropriate review under CEQA, via the process outlined in Planning Code Section 309, which is the process for reviewing and approving large developments in downtown San Francisco. Additional Planning Commission actions concurrent with the Section 309 application may be necessary depending on the nature of the proposed project: for instance, office projects require approval of an office allocation pursuant to Section 321 (Proposition M) and hotel proposals require Conditional Use approval.

39. *Q: Can the uses on the site be finalized prior to the purchase becoming non-refundable?*

A: There is not a way to “finalize” or “pre-approve” a development project without going through the required review and entitlement process. Any development will presumably take some time, on the order of several months to a year or more to complete entitlements through the Planning Commission, depending on how fast the project sponsor can develop and refine plans sufficient to complete any necessary environmental review, building design, and Planning Code compliance review and the extent to which the project sponsor seeks waivers or exemptions from any existing code limitation or requirements. Please note that the TJPA is selling the property "as is" and will not consider a delay in the closing for any future project entitlement.

40. *Q: Can the height and gross area of the project be increased beyond current limits?*

A: Projects that are consistent with the existing height limits and other zoning standards as well as consistent with the recently adopted Transit Center District Plan (“Plan”) are eligible for a Community Plan Exemption (“CPE”) under CEQA, which substantially reduces necessary time and expense for environmental review and thus the schedule, cost, and certainty of entitlements. Moreover, the recently adopted zoning controls and Plan reflect the City’s policy goals and vision for this site and were the result of a multi-year community planning and complex political process, including thorough consideration of such key issues as building height, setbacks, bulk, urban form, shadow impacts, impact fees and other public benefits, and other matters. As such, development proposals are advised to comply with the existing zoning and Plan. Please refer to Questions #19, #36, and #37 for information regarding potential zoning changes.

41. *Q: Can TJPA offer another site inspection?*

A: Yes, TJPA has scheduled a second site inspection for Tuesday, July 14, 2015, at 2:00 p.m. Pacific Time at the TJPA offices, located at 201 Mission Street, Suite 2100, San Francisco, CA. Please see the TJPA website for documents for attending the site inspection. As a reminder, attendance at a site inspection is not mandatory for bidding.